IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE CIVIL JURISDICTION

CIVIL APPLICATION NO.1549 OF 2005

IN

SECOND APPEAL (STAMP) NO.12101 OF 2003

1. Shri.Vithal Bandu Nimkar and others. ... Appellants (Orig.Plffs)

vs.

Shri.Jalindar Appasaheb Dhere. .... Respondent (Orig.Deft).

Mr.Macchindra A.Patil, for the Appellants.

CORAM: D.G.DESHPANDE,J.

DATED: 29th September,2005

P.C.:-

This is an application filed by the appellants for setting aside the conditional order passed by the Registrar, Appellate Side, dated 1.12.2004 which resulted in dismissal of the suit. The appellants are the original plaintiffs to the suit which was filed for declaration and injunction which came to be dismissed by both the Courts below. The learned Advocate appearing for the appellants undertakes to remove

the office objections. In view of the statement and undertaking, the order of dismissal of the appeal is set aside. The appellant to remove the office objections within two weeks finally. No further time will be granted. If the objections are not removed, the order of dismissal stands.